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BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
COMMISSIONER - CHAIRMAN
RENZ D. JENNINGS
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

APR 22 2 28 PM '98

IN THE MATTER OF THE APPLICATION OF
CITIZENS UTILITIES COMPANY FOR (1)
APPROVAL OF THE AGREEMENT FOR THE
VILLAGES AT DESERT HILLS WATER/
WASTEWATER INFRASTRUCTURE, AND
(2) FOR APPROVAL OF FORMATION OF
SUBSIDIARIES.

DOCKET NO. W-01032A-97-0599

IN THE MATTER OF THE APPLICATION OF
CITIZENS WATER SERVICES COMPANY
OF ARIZONA FOR (1) A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE POTABLE WATER AND WASTE-
WATER SERVICES TO THE VILLAGES AT
DESERT HILLS, (2) APPROVAL OF THE
AGREEMENT FOR THE VILLAGES AT
DESERT HILLS WATER/WASTEWATER
INFRASTRUCTURE, INCLUDING THE
INITIAL RATES SET FORTH IN EXHIBIT D
THERETO, AND (3) APPROVAL OF THE
WATER/WASTEWATER PURCHASE
AGREEMENT.

DOCKET NO. SW-03454A-97-0599

Arizona Corporation Commission
DOCKETED

APR 22 1998

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
CITIZENS WATER RESOURCES COMPANY
OF ARIZONA FOR (1) A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE POTABLE WATER AND WASTE-
WATER TREATMENT AND DISPOSAL
SERVICES TO CITIZENS WATER SERVICES
COMPANY OF ARIZONA AND NON-
POTABLE WATER DISTRIBUTION SERVICES
TO CITIZENS WATER SERVICES COMPANY
OF ARIZONA AND OTHERS, (2) APPROVAL
OF THE AGREEMENT OF THE VILLAGES
AT DESERT HILLS WATER/WASTEWATER
INFRASTRUCTURE, INCLUDING THE
INITIAL RATES SET FORTH IN EXHIBIT D
THERETO, AND (3) APPROVAL OF THE
WATER/WASTEWATER PURCHASE
AGREEMENT.

DOCKET NO. SW-03455A-97-0599

PROCEDURAL ORDER

BY THE COMMISSION:

On October 29, 1997, Citizens Utilities Company ("Company") filed with the Arizona Corporation Commission ("Commission") applications for approval of formation of subsidiaries; for approval of agreements for the villages at Desert Hills water/wastewater infrastructure and water/wastewater purchase; and for Certificates of Convenience and Necessity

On April 16, 1998, the Commission's Utilities Division Staff ("Staff") filed its Staff Report in this matter. Accordingly, the matter should be set for hearing.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on May 21, 1998 at 9:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before May 15, 1998.

IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in this matter, in the following form and style, with the heading in no less than 24 point bold type and the body in no less than 16 point regular type:

PUBLIC NOTICE OF HEARING ON APPLICATIONS OF CITIZENS UTILITIES COMPANY FOR APPROVAL OF FORMATION OF SUBSIDIARIES; FOR APPROVAL OF AGREEMENTS FOR THE VILLAGES AT DESERT HILLS WATER/WASTEWATER INFRASTRUCTURE AND WATER/WASTEWATER PURCHASE; AND FOR CERTIFICATES OF CONVENIENCE AND NECESSITY

Citizens Utilities Company ("Company") has filed with the Arizona Corporation Commission ("Commission") applications for approval of formation of subsidiaries; for approval of agreements for the Villages at Desert Hills water/wastewater infrastructure and water/wastewater purchase; and for Certificates of Convenience and Necessity ("Certificate") to provide potable water and wastewater service to the Villages at Desert Hills. Our records indicate that you are either currently a customer of the Company or are a property owner in the proposed service area [or Company proposes to provide service to [description of area] (with particularity)]. If the application is granted the Company would be the exclusive provider of water and wastewater service to the proposed area. The Company will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission. The granting of the application would not necessarily prohibit an individual from providing service to that individual's property from individually-owned facilities on that individual's property.

The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the Company's offices, [insert company's address].

The Commission will hold a hearing on this matter on May 21, 1998 at 9:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007. As a property owner or customer you may have the right to intervene in the proceeding. If you do not want to intervene, you may appear at the hearing and make a statement on your own behalf. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written notice to intervene with the Commission, which motion should be sent to the Company or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.)
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before May 15, 1998. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf. However, you will not receive any further notice of the proceeding unless requested by you.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Individuals with disabilities requesting reasonable accommodations should contact the office of the Executive Secretary (602-542-3931) in a timely manner to make known their needs and preferences.

IT IS FURTHER ORDERED that the Company shall mail to all property owners located within the contemplated service area a copy of the above notice, and cause the above notice to be published at least once in a newspaper of general circulation in its service territory, with mailing and publication to be completed no later than May 1, 1998.

IT IS FURTHER ORDERED that the Company shall file certification of mailing and publication as soon as practicable after the mailing and publication has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and publication of same, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any
2 portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 22nd day of April, 1998.

4
5 
6 LYN FARMER
7 ASSISTANT CHIEF HEARING OFFICER

8 Copies of the foregoing mailed/delivered
9 this 22nd day of April, 1998 to:

10 Craig A. Marks
11 CITIZENS UTILITIES COMPANY
12 2901 N. Central Ave., Suite 1660
13 Phoenix, Arizona 85012

14 Terence W. Thompson
15 GALLAGHER & KENNEDY, P.A.
16 2600 N. Central Avenue
17 Phoenix, Arizona 85004

18 Tenna Ingram Wolfe, Staff Attorney
19 Scott S. Wakefield, Chief Counsel
20 RUCO
21 2828 N. Central Avenue, Suite 1200
22 Phoenix, Arizona 85004

23 Paul A. Bullis, Chief Counsel
24 Legal Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28 Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

By: 

Debbi Person
Secretary to Lyn Farmer

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided
 Do not use for International Mail (See reverse)

Tenna Ingram Wolfe
253 AB NC #1200
Phoenix 004

POSTAGE WILL BE PAID BY ADDRESSEE

POSTMASTER: RETURN TO
44-38861-1
44-38861-2
44-38861-3

U.S. Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail (See reverse)

7160 N CENTRAL AVE
CHICAGO, ILL 60631

Postpaid Delivery Free
 Instant Receipt Shipping
 Volume 5 (Last Unrecorded
 Edition Shipped) Shipped in 1940
 Price: A Additional Address
 TOTAL POSTAGE & FEE:

1950

SENDING:
 Complete Return 1 and/or 2 for additional services.
 Complete Return 3, 4a, and 4b
 Complete Return 5 and attach on the bottom of the form to mail your return.
 Attach the form to the front of the package or on the back if space does not
 permit.
 A "Return Receipt" is provided on the address label. The return receipt
 will be mailed to you when the article was delivered and the date
 delivered.

1 Article Addressed To:
 TONYA JOHANN WOLF
 Scott S. Wakefield
 Rueo
 2828 N Central Ave #1200
 Phoenix AZ 85004

2 Article Number:
 0146191 658

3a Service Type:
☐ Registered
☐ Express Mail
☐ Return Receipt for Merchandise
☐ Date of Delivery

3b Certificates:
☐ Insured
☐ COD

4 Addressess & Addressee (only if registered and fee is paid):
 Cheryl Fraulob
 Signature (Addressee or Agent)
 Cheryl Fraulob

5 Addressess & Addressee (only if registered and fee is paid):
 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your **RETURN ADDRESS** completed on the reverse side?

[illegible]
$$f(x) = \begin{cases} 1 & \text{if } x \in \mathbb{Q} \\ 0 & \text{if } x \notin \mathbb{Q} \end{cases}$$

D 61A 1A1

US Postal Service
Postage for Certified Mail

Postage for Certified Mail
First Class
Postage for Certified Mail
First Class

Is your RETURN ADDRESS completed on the reverse side?

1. To
2. From
3. City
4. State
5. Zip
6. Signature (must be legible)
7. Received By (Print Name)
8. Address - address (only if requested and fee is paid)
9. Insured
10. Return Receipt

11. Date of Delivery
12. Signature (must be legible)
13. Received By (Print Name)
14. Address - address (only if requested and fee is paid)
15. Insured
16. Return Receipt

17. Date of Delivery
18. Signature (must be legible)
19. Received By (Print Name)
20. Address - address (only if requested and fee is paid)
21. Insured
22. Return Receipt